

TOM S. LEE SBN: 275706
 BRYAN CAVE LLP
 560 MISSION STREET, 25TH FLOOR
 SAN FRANCISCO, CA 94105
 (415) 675-3400

**UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

HOME DEPOT U.S.A., INC.

v.

E.I. DUPONT DE NEMOURS AND COMPANY, ET AL.

CASE NUMBER:
3:16-cv-04865

**PROOF OF SERVICE
 SUMMONS AND COMPLAINT**
(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (*specify documents*):

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> summons | <input type="checkbox"/> first amended complaint | <input type="checkbox"/> third party complaint |
| <input checked="" type="checkbox"/> complaint | <input type="checkbox"/> second amended complaint | <input type="checkbox"/> counter claim |
| <input type="checkbox"/> alias summons | <input type="checkbox"/> third amended complaint | <input type="checkbox"/> cross claim |
| <input checked="" type="checkbox"/> other SEE ATTACHED DOCUMENT LIST | | |

2. Person served:

- a. Defendant (*name*): **E.I. DUPONT DE NEMOURS AND COMPANY**
- b. Other (*specify name and title or relationship to the party/business named*):
CT CORPORATION SYSTEM, REGISTERED AGENT, BY SERVING GLADYS AGUILERA - PROCESS SPECIALIST
- c. Address where the papers were served: **818 WEST 7TH STREET, 9TH FLOOR
 LOS ANGELES, CA 90017**

3. Manner of Service in compliance with (*the appropriate box must be checked*):

- a. Federal Rules of Civil Procedure
- b. California Code of Civil Procedure

4. I served the person named in Item 2:

- a. By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
 1. Papers were served on (*date*): **09/26/2016** at (*time*): **02:55 pm**
 - b. By Substituted Service. By leaving copies:
 1. (*home*) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
 2. (*business*) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
 3. Papers were served on (*date*): at (*time*):
 4. by mailing (*by first-class mail, postage prepaid*) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
 5. papers were mailed on
 6. due diligence. I made at least three (3) attempts to personally serve the defendant.
- c. Mail and acknowledgment of service. By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (*Attach completed Waiver of Service of summons and Complaint*).

859 Harrison St., STE A
San Francisco, CA 94107
Phone: (415) 351-0400 Fax: (415) 351-0407

Continued from Proof of Service

CASE #: 3:16-cv-04865

DATE: September 28, 2016

CASE NAME: HOME DEPOT U.S.A., INC. VS. E.I. DUPONT DE NEMOURS AND COMPANY, ET AL.

SUMMONS IN A CIVIL ACTION RE: CASE NUMBER 3:16-cv-04865

SUMMONS IN A CIVIL ACTION RE: CASE NUMBER 4:16-cv-4865 DMR

COMPLAINT

CIVIL COVER SHEET

ATTACHMENT TO CIVIL COVER SHEET

PLAINTIFF'S CERTIFICATION OF INTERESTED ENTITIES OR PERSONS

NOTICE OF RELATED CASE

STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA - CONTENTS OF JOINT CASE MANAGEMENT STATEMENT

JOINT CASE MANAGEMENT STATEMENT & [PROPOSED] ORDER

STANDING ORDER FOR MAGISTRATE JUDGE DONNA M. RYU (REVISED JANUARY 11, 2016)

ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES

- d. **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service.)
- f. **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. **Other** (specify code section and type of service):

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): at (time):

- b. By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).
- c. By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

NATIONWIDE
ROBERTO FLORES

Nationwide Legal, LLC (12-234648)
859 Harrison St., STE A
San Francisco, CA 94107
(415) 351-0400

a. Fee for service: \$.00

- b. Not a registered California process server
- c. Exempt from registration under B&P 22350(b)
- d. Registered California process server
Registration #:6000
County: LOS ANGELES

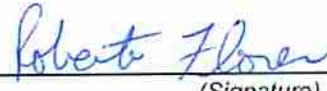
8. I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: September 28, 2016

ROBERTO FLORES

Type or Print Server's Name


(Signature)